

STAFF REPORT
January 6, 2011

No. 10PL095 - Preliminary Plat

ITEM 14

GENERAL INFORMATION:

APPLICANT	Darrell Lich - LICH Enterprises
AGENT	Sperlich Consulting, Inc.
PROPERTY OWNER	Darrel Lich
REQUEST	No. 10PL095 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	Lot 1 and Lot 2 of Lot B of Block 16 of Trailwood Village located in the SE1/4 of the SW1/4 of Section 10, T1N, R8E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot 1R and Lot 2R of Lot B of Block 16 of Trailwood Village
PARCEL ACREAGE	Approximately 2.423 acres
LOCATION	At the northeast corner of the intersection of SD State Highway 44 and Covington Street
EXISTING ZONING	Planned Unit Development (Pennington County)
SURROUNDING ZONING	
North:	Planned Unit Development (Pennington County)
South:	Suburban Residential District (Pennington County)
East:	Suburban Residential District - General Commercial District (Pennington County)
West:	Planned Unit Development (Pennington County)
PUBLIC UTILITIES	Rapid Valley Sanitary District
DATE OF APPLICATION	12/13/2010
REVIEWED BY	Vicki L. Fisher / Ted Johnson

RECOMMENDATION:

Staff recommends that the Preliminary Plat be approved with the following stipulations:

1. Prior to Preliminary Plat approval by the City Council, all necessary changes shall be made to the site plan as identified on the red lined drawings. In addition, the red lined drawings shall be returned to the Growth Management Department;
2. Prior to Preliminary Plat approval by the City Council, construction plans for S.D. Highway 44 shall be submitted for review and approval showing the construction of a sidewalk or an Exception shall be obtained;

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3. Prior to Preliminary Plat approval by the City Council, construction plans for the 26 foot wide access easement shall be submitted for review and approval showing the easement with a minimum width of 59 feet and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained or the plat document shall be revised to show the vacation of the access easement;
4. Prior to Preliminary Plat approval by the City Council, a drainage analysis and report in compliance with the County Heights Drainage Basin Plan shall be submitted for review and approval. In addition, the plat document shall be revised to show drainage easements as needed;
5. Prior to Preliminary Plat approval by the City Council, a geotechnical report including pavement design shall be submitted for review and approval if subdivision improvements are required. In addition, the geotechnical report shall include soils resistivity test results. If the results indicate severe potential towards corrosion of buried metal, then information shall be provided identifying that corrosion protection per Rapid City Standard Specifications is adequate protection or additional corrosion protections shall be provided as needed for buried water system metal fixtures;
6. Prior to Preliminary Plat approval by the City Council, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual shall be submitted for review and approval if subdivision improvements are required. In addition, an Erosion and Sediment Control Permit shall be obtained prior to any construction;
7. Prior to Preliminary Plat approval by the City Council, a cost estimate of the subdivision improvements shall be submitted for review and approval;
8. Prior to submittal of a Final Plat application, the plat title shall be revised to read "Trailwood Village Subdivision" in lieu of "Trailwood Subdivision";
9. Prior to submittal of a Final Plat application, the outstanding improvements for the previously approved plat creating Lots 1 and 2 of Lot B of Block 16 shall be completed or surety posted for these improvements;
10. Upon submittal of a Final Plat application, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid,
11. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required; and,
12. The approved Preliminary Plat for which no grading, construction or other improvements have been initiated within two years of the date of approval of the plat shall be deemed as expired. However, the owner or applicant of the plat may, prior to the termination of the two year period, request a one year extension subject to approval by the City Council.

GENERAL COMMENTS:

The applicant has submitted a Preliminary Plat to reconfigure two existing lots. In particular, the Preliminary Plat identifies moving the common lot line between the two lots approximately 13 feet to the east. The lots will be known as Lots 1R and 2R of Lot B of Block 16, Trailwood Village Subdivision.

The property is located in the northeast corner of the intersection of S.D. Highway 44 and Covington Street. Currently, a commercial building is located on proposed Lot 2R. Lot 1R is currently void of any structural development.

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STAFF REVIEW:

Staff has reviewed the Preliminary Plat and has noted the following considerations:

Zoning: The property is currently zoned Planned Unit Development by Pennington County. The Pennington County Planning Department has indicated that moving the common lot line as proposed will not require an amendment to the Planned Unit Development. In addition, the existing use(s) on the property are in compliance with the approved Planned Unit Development.

East S.D. Highway 44: East S.D. Highway 44 is located along the south lot line of the property and is classified as a principal arterial street on the City's Major Street Plan requiring that it be located within a minimum 100 foot wide right-of-way and constructed with a minimum 36 foot wide paved surface. Currently, the street is located within a 150 foot wide right-of-way and constructed with an approximate 70 foot wide paved surface. In addition, a City water main is located within the right-of-way as well as Rapid Valley Sanitary District water and sewer mains. To date, curb, gutter, sidewalk and street light conduit have not been constructed along East S. D. Highway 44 as it abuts the property. The applicant has submitted an Exception request to waive the requirement to install these improvements. Staff has, subsequently, approved a portion of the Exception request to waive the requirement to install curb, gutter and street light conduit. However, staff has denied the Exception request to install sidewalk along East S. D. Highway 44. In particular, staff noted that a sidewalk along East S.D. Highway 44 is needed to provide a safe pedestrian corridor along the highway between the businesses and residences within the area and to the elementary school located north on Covington Street. The applicant has the option of appealing staff's decision to the Public Works Committee and the City Council for further review.

Staff recommends that prior to Planning Commission approval of the Preliminary Plat, construction plans be submitted for review and approval showing the installation of a sidewalk along East S.D. Highway 44 or an Exception must be obtained.

26 Foot Wide Access Easement: The Preliminary Plat identifies a 26 foot wide access easement extending between the two lots. The access easement is classified as a commercial street requiring that it have a minimum width of 59 feet and be constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. The access easement located on proposed Lot 2R has been constructed with an approximate 26 foot wide paved surface. The easement located on proposed Lot 1R is currently unimproved.

Prior to Preliminary Plat approval by the City Council, construction plans for the 26 foot wide access easement must be submitted for review and approval showing the easement with a minimum width of 59 feet and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations be must obtained or the plat document must be revised to show the vacation of the access easement.

Stormwater Management Plan: The City Council recently adopted a Stormwater Quality Manual

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which provides a set of criteria and technical guidance for erosion and sediment control at construction sites. As such, staff recommends that prior to Preliminary Plat approval by the City Council, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual be submitted for review and approval if subdivision improvements are required. In addition, an Erosion and Sediment Control Permit must be obtained prior to any construction.

Drainage: During the review and approval of the Preliminary Plat to create Lots 1 and 2 of Lot B of Block 16, construction plans were submitted showing the installation of a storm sewer pipe and inlets across the west end of the lot located directly north of Avery Drive. To date, the improvements have not been completed. As such, uncontained stormwater discharge across the adjacent parcel has created a washout resulting in sediment washing onto Avery Drive. To date, a drainage analysis and report have not been submitted for review and approval as a part of this Preliminary Plat application. Staff recommends that prior to Preliminary Plat approval by the City Council, a drainage analysis and report in compliance with the County Heights Drainage Basin Plan be submitted for review and approval. The plat document must also be revised to provide drainage easements as necessary.

Incomplete Subdivision Improvements: On February 7, 2005, the City Council approved a Preliminary Plat (File #04PL186) for the property to create Lots 1 and 2 of Lot B of Block 16. A Final Plat (File #05PL067) was subsequently approved on May 8, 2005. To date, some of the subdivision improvements required for the project have not been fully completed and the improvements have not been accepted by the City. In particular, drainage improvements, signage and the construction of a sidewalk have not been completed. In addition, the previously posted surety for the improvements has expired. As such, prior to submittal of a Final Plat application, the outstanding improvements for the previously approved plat must be completed or surety posted for these improvements.

Inspection Fees and Surety: Chapter 16.20.080 of the Rapid City Municipal Code states that before any Final Plat is approved, an additional fee shall be paid to the City to cover the costs of inspection of the subdivision improvements as required by the Ordinance. In addition, surety for any required subdivision improvements that have not been completed must be posted. As such, staff recommends that upon submittal of a Final Plat application, surety be posted and subdivision inspection fees be paid as required.

Warranty Surety: On June 19, 2006, the City Council adopted a resolution establishing a formal warranty process for subdivision improvements. In particular, the resolution requires that the developer provide an acceptable Warranty Surety for the required public improvements. In particular, the Warranty Surety must be in force for a period of two years after the required final inspection and the City has accepted the improvements. As such, staff recommends that prior to the City's acceptance of any public improvements, a Warranty Surety be submitted for review and approval if subdivision improvements are required.

The proposed plat generally complies with all applicable Zoning and Subdivision Regulations assuming compliance with the stated stipulations.